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Paula S. Newman

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EXAMINER

NGUYEN, THANH T

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Please find below and/or attached an Office communication concerning this application or proceeding.

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/732,023
Filing Date: December 08, 2000
Appellant(s): NEWMAN, PAULA S.

Patrick Inouye
For Appellant

SUPPLEMENTAL EXAMINER'S ANSWER

This is in response to the appeal brief filed September 21, 2007 appealing from the Office action mailed April 18, 2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,832,244	RAGHUNANDAN	12-2004
6,170,011	MACLEOD BECK	01-2001
MICROSOFT OUTLOOK 2000 FOR DUMMIES	DYXZEL	1999

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
2. Claims 1, 2, 5, 7,-9, 12, 14-17, 20, 22-28, 30-33, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hulikunta Prahlad Raghunandan., (hereinafter Raghunandan) U.S. Patent No. 6,832,244 in view of Dyxzel., (hereinafter Dyxzel) Bill Dyszel, 1999 Publishing, Wiley Publishing, Inc.
3. As to claim 1, Raghunandan discloses the invention substantially as claimed, Raghunandan discloses including a method for displaying an e-mail collection, the e-mail collection including a plurality of e-mail messages assigned to one or more categories and subcategories, the method comprising: defining a display specification to specify a manner in which e-mail message assigned into each of the categories and subcategories [see col.6, lines 57-65], are to be displayed in a top-level representation [see Raghunandan, col.7, lines 55-67, and fig.5](email classification generation

system maintains a count of the messages in each level of hierarchy and display the counts to the user when required), comprising each of: specifying a plurality of category-specific arrangements of e-mail messages in different levels of granularity that are specific to the categories and subcategories [see col.6, lines 57-65] to which the e-mail messages are assigned [admitted by art for this limitation as shown in col.16-20]; specifying a plurality of display-specific arrangements of e-mail messages in differing levels of granularity that are specific to the display to which the e-mail messages are displayed [see Raghunandan, col.7, lines 20-47] (it is very easy to identify email content by looking at the symbol in graphic display in different event color). However, Raghunandan does not explicitly disclose displaying each of the e-mail messages in accordance with the display specification, using the category-specific arrangement and the display-specific arrangement for the category or subcategory to which the e-mail message is assigned, and using the layout for the display upon which the e-mail message is displayed.

4. In the same field of endeavor, Dyxzel discloses (e.g., Microsoft outlook 2000 for windows for Dummies). Dyxzel discloses displaying each of the e-mail messages in accordance with the display specification, using the category-specific arrangement and the display-specific arrangement for the category or subcategory to which the e-mail message is assigned, and using the layout for the display upon which the e-mail message is displayed (see page 158, figure 10-15, and pages 84-85 figure 5-11).
5. According, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Dyxzel's teachings with the

- teachings of Raghunandan, for the purpose of saving a lot of time when you're trying to find things on the email [see Dyxzel page, 158].
6. As to claims 2, 9, and 17, Paul teaches the invention as claimed, further comprising: receiving a plurality of display specifications from a user, storing the received display specification receiving a user selection of one of the plurality of display specifications specification [see Raghunandan, col.7, lines 9-12] (shows email in a order and priorities sequence based on content indicative of urgency and importance form the user perspective); and displaying the e-mail collection, in accordance with the user selected display specification [see Raghunandan, col.7, lines 9-10].
 7. As to claims 4, 11, and 19, Raghunandan teaches the invention as claimed, wherein the display specification provide that messages in at least on e of the plurality of categories and subcategories are encapsulated in the corresponding category, and that the top-level display of the entire e-mail collection includes one items from the corresponding category [see Raghunandan, col.7, lines 9-12] (display can be also used to show the emails in a order and priorities sequence based on content indicative of urgency and importance from the user's respective), and that the top-level display of the entire e-mail collection includes one item from the corresponding [see Raghunandan, col.8, lines 5-11](messages in each level of the hierarchy and displays the counts to the user when required).
 8. As to claims 5, 12, and 20, Raghunandan teaches the invention as claimed, wherein the display specification includes a plurality of user-defined rule-based categories, wherein cone of the plurality of user-defined rule-based categories is nested within

- another of the plurality of user-defined rule-based categories [see Raghunandan, col.7, lines 9-12, and col.2, lines 46-49] (prioritizing the said graphical message displays in accordance with user-defined requirement), and wherein the nested user-defined rule-based category is displayed differently than the another of the plurality of user-defined rule-based categories [see Raghunandan, col.6, lines 54-65](emails are displayed on the display device by graphic output generator, which converts each email into a graphical symbol).
9. As to claim 7, Raghunandan, teaches the invention as claimed, further comprising: providing at least one tool button on the top-level representative of the e-mail collection that is adapted to receive a user command to perform an operation on one or more messages associated with an identified item [see Raghunandan, col.7, lines 15-47](colour of button); and performing the operation on the one or more messages associated with the identified item in response to a user operation of the tool button [see Raghunandan, fig.6A-6D, and col.8, lines 11-55]
10. As to claims 8, and 16, Raghunandan discloses the invention substantially as claimed, Raghunandan discloses including a method for displaying an e-mail collection, the e-mail collection including a plurality of e-mail messages assigned to one or more categories and subcategories, the method comprising: defining a display specification to specify a manner in which e-mail message assigned into each of the categories and subcategories [see col.6, lines 57-65], are to be displayed in a top-level representation [see Raghunandan, col.7, lines 55-67, and fig.5](email classification generation system maintains a count of the messages in each level of hierarchy and display the

counts to the user when required), comprising each of: specifying a plurality of category-specific arrangements of e-mail messages in different levels of granularity that are specific to the categories and subcategories [see col.6, lines 57-65] to which the e-mail messages are assigned [admitted by art for this limitation as shown in col.16-20]; specifying a plurality of display-specific arrangements of e-mail messages in differing levels of granularity that are specific to the display to which the e-mail messages are displayed [see Raghunandan, col.7, lines 20-47] (it is very easy to identify email content by looking at the symbol in graphic display in different event color); and a display for presenting the e-mail collection on a viewing area of the display [see Raghunandan, col.6, line 5 to col.7, line 5]; and a processor that is adapted to control the display to display each of the email messages in accordance with the display specification. However, Raghunandan does not explicitly disclose displaying each of the e-mail messages in accordance with the display specification, using the category-specific arrangement and the display-specific arrangement for the category or subcategory to which the e-mail message is assigned, and using the layout for the display upon which the e-mail message is displayed.

11. In the same field of endeavor, Dyxzel discloses (e.g., Microsoft outlook 2000 for windows for Dummies). Dyxzel discloses displaying each of the e-mail messages in accordance with the display specification, using the category-specific arrangement and the display-specific arrangement for the category or subcategory to which the e-mail message is assigned, and using the layout for the display upon which the e-mail message is displayed (see page 158, figure 10-15, and pages 84-85 figure 5-11).

12. According, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Dyxzel's teachings with the teachings of Raghunandan, for the purpose of saving a lot of time when you're trying to find things on the email [see Dyxzel page, 158].
13. As to claim 14, Raghunandan teaches the invention as claimed, wherein the processor is further adapted: to provide a tool button on the top-level representation of the e-mail collection that is adapted to receive a user command to delete messages associated with an identified item, and to delete the messages associated with the identified item in response to a user operation of the tool button [see Raghunandan, col.8, lines 11-65].
14. As to claims 15 and 22, Paul teaches the invention as claimed, wherein the processor is further adapted: to receive a user command from at least one a tool button on the top-level representation of the e-mail collection [see Reghunandan, col.7, lines 35-46]; and to perform the operation the on one or more messages associated with the identified item in response to a user operation of the tool button [see Raghunandan, col.7, line 59 to col.8, line26].
15. As to claim 23, 24, and 25, Raghunandan, teaches the invention as claimed, wherein the messages within the categories and subcategories may be displayed as at least two of: messages, threads, and groups [see Raghunandan, col.6, lines 55-67].
16. As to claim 26, Raghunandan, teaches the invention as claimed, wherein the display specification provides that each of the messages in at least one of the plurality of categories and subcategories provides that each of the messages in at least one of the

- plurality of categories and subcategories are displayed separately in the top-level display of the entire e-mail collection [see Raghunandan, col.7, line 59 to col.8, line 11].
17. As to claim 27, Raghunandan, teaches the invention as claimed, wherein the display specification provides that at least one of the plurality of categories and subcategories, and each of the messages categorized therein, is to be omitted from the top-level display of the entire e-mail collection [see Raghunandan, col.7, lines 5-58].
18. As to claims 28, and 33, Raghunandan, teaches the invention as claimed, further comprising: supplying a tool button associated with an item requesting expansion of the item, and if the expansion is requested, differentially performing the expansion of the item [see Raghunandan, col.7, lines 35-45].
19. As to claims 30, and 35, Raghunandan, teaches the invention as claimed, further comprising expanding an item representing an individual thread on the top-level representation of the e-mail collection by displaying the messages associated with the selected thread as a single document represented by a tree-like thread structure including at least one initial part of each of the messages [see Raghunandan, col. 7, line 59 to col.8, line 11] (incrementing the email count is to be classified at the appropriate levels of the hierarchy).
20. As to claim 31, Raghunandan, teaches the invention as claimed, wherein the display specification provides that each of the messages in at least one of the plurality of categories and subcategories are displayed separately in the top-level display of the

entire e-mail collection [see Raghunandan, col.8, lines 6-11](messages in each level of the hierarchy and display the counts to user).

21. As to claim 32, Raghunandan, teaches the invention as claimed, wherein the display specification provides that each of the messages in at least one of the plurality of categories and subcategories, and each of the messages categorized therein, is to be omitted from the top-level display of the entire e-mail collection [see Raghunandan, col.7, line 35 to col.8, line 55].

Claim Rejections - 35 USC § 103

22. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

23. Claims 3, 4, 6, 10, 11, 13, 18, 19, 21, 29 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hulikunta Prahlad Raghunandan., (hereinafter Raghunandan) U.S. Patent No. 6,832,244 in view of Dyxzel., (hereinafter Dyxzel) Bill Dyszel, 1999 Publishing, Wiley Publishing, Inc. further in view Mocleod Beck et al., (hereinafter Mocleod Beck) U.S. Patent No. 6,170,011.
24. As to claims 3, 10 and 18, Raghunandan teaches the invention as claimed, wherein the display specification provides that the e-mail messages in at least one of the plurality of categories and subcategories, and that the top-level display of the entire e-mail collection [see Raghunandan, col.7, lines 56-58] (displays the email counts in the system hierarchy to the user on a display device). However, Raghunandan does not explicitly teach email encapsulated into threads.
25. In the same field of endeavor, Macleod Beck discloses (e.g.,...method and apparatus for determining and initiating interaction directionally... communication center). Macleod Beck discloses an email encapsulated into threads [See Macleod Beck col.22, lines 49-57, and col.27, line 63 to col.28, line16] (intermittent e-mail on the thread).
26. Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have incorporated Macleod Beck's teachings of method and apparatus for determining and initiating interaction directionality within a multimedia communication center with the teachings of Raghunandan to have an email encapsulated into threads because it would have provided such a system would

- maximize agent efficiency and increase potential enterprise profitability [see Macleod Beck, col.4, lines 47-50].
27. As to claims, 6, 13, and 21, Raghunandan teaches the invention as claimed, further comprising: providing an editor window display which lists the plurality of categories and a plurality of message display for the top-level representation of the e-mail collection and each of the plurality of categories, and receiving and storing a user selection of one of the plurality of message display for at least one of the plurality of categories [see Raghunandan, col.7, lines 35-58](displays the email counts in the system hierarchy to the user on a display device). However, Raghunandan does not explicitly teach an edit window display.
28. In the same field of endeavor, Macleod Beck discloses (e.g.,...method and apparatus for determining and initiating interaction directionally... communication center). Macleod Beck discloses an edit window display [See Macleod Beck col.14, line 66 to col.15, line 5](window 133 is build to edited using COM codes available to the inventor and typically found in tool kits for the purpose of creating interactive displays on a web page).
29. Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have incorporated Macleod Beck's teachings of method and apparatus for determining and initiating interaction directionality within a multimedia communication center with the teachings of Raghunandan to have an edit window display because it would have provided the motivation by stating that there

- exist a need to improve service with regard to client satisfaction [see Macleod Beck col.3, lines 38-39].
30. As to claims 29, and 34, Raghunandan, teaches the invention as claimed, further comprising: expanding an item representing an entire category or subcategory on the top-level representation of the e-mail collection by whose messages are categorized within the category or subcategory selected for expansion [see Raghunandan, col.7, lines35-67]. However, Raghunandan does not explicitly teach list of threads.
31. In the same field of endeavor, Macleod Beck discloses (e.g.,...method and apparatus for determining and initiating interaction directionally... communication center). Macleod Beck discloses a list of threads [See Macleod Beck col.22, lines 49-57, and col.27, line 63 to col.28, line16].
32. Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have incorporated Macleod Beck's teachings of method and apparatus for determining and initiating interaction directionality within a multimedia communication center with the teachings of Raghunandan to have a list of threads because it would have provided such a system would maximize agent efficiency and increase potential enterprise profitability [see Macleod Beck, col.4, lines 47-50].

(10) Response to Argument

- Appellant argues that combination of Raghunandan and Dyszel fail to support some motivation.

- In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Dyxzel's teachings with the teachings of Raghunandan, for the purpose of saving a lot of time when you're trying to find things on the email [see Dyxzel page, 158].
- Appellant argues that Raghunandan and Dyszel combination fails to teach *"differing levels of granularity or plurality of layouts of category-specific arrangements and display-specific arrangements that are specific to the display upon which the e-mail messages are displayed"*.
- Examiner respectfully disagrees. Applicant argument is vague. Raghunandan discloses different levels of granularity that are specific to the categories and subcategories as shown in col.6, lines 57-65, and col.7, lines 20-47] (*it is very easy to identify email content by looking at the symbol in graphic display in different event color*). Dyxzel discloses displaying each of the e-mail messages in accordance with the display specification, using the category-specific arrangement and the display-specific arrangement for the category or subcategory

to which the e-mail message is assigned, and using the layout for the display upon which the e-mail message is displayed (see page 158, figure 10-15, and pages 84-85 figure 5-11). Hence, Raghunandan and Dyszel combination clearly shows application claimed invention.

- Appellant argues that the combination of Macleod Beck, Raghunandan, and Dyszel fail to suggest or motivation to combine.
- In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have incorporated Macleod Beck's teachings of method and apparatus for determining and initiating interaction directionality within a multimedia communication center with the teachings of Raghunandan to have an email encapsulated into threads because it would have provided such a system would maximize agent efficiency and increase potential enterprise profitability [see Macleod Beck, col.4, lines 47-50].

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/T. T. N./

Art Unit 2144

/William C. Vaughn, Jr./
Supervisory Patent Examiner, Art Unit 2144

Conferees:

/William C. Vaughn, Jr./

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